

48A C.J.S. Judges § 146

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Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D.; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

VI. Authority, Powers, and Duties

B. Administrative Powers and Duties

§ 146. Generally; administrative judges

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Among the responsibilities of a judge is supervision of the administrative processes of judicature, and the presiding or chief judge in a multijudge circuit functions as the administrative judge of the circuit.

Among the responsibilities of a judge is supervision of the administrative processes of judicature.¹ A judge should diligently discharge administrative responsibilities,² as no court in the land can function on a pure diet of adjudication.³ There can be no adjudication without administration as there must be someone who will deal with personnel, assignments, new approaches to new problems, case distribution, and the like.⁴

In most states, the chief justice of the state supreme court is the administrative head of the judicial system.⁵ Local administrative authority rests with the circuit judge in a single-judge circuit,⁶ and the chief⁷ or presiding⁸ judge in a multijudge circuit.⁹ While all circuit judges in a multijudge

circuit are clothed with coequal judicial power,¹⁰ the chief judge possesses overall administrative authority¹¹ subject only to the authority of the state supreme court.¹²

The presiding or chief judge, as the administrative judge of a circuit, functions in an executive capacity and may exercise administrative powers necessary to secure the convenient and expeditious transaction of the court's business¹³ and the speedy and proper administration of justice.¹⁴ At the same time, however, the presiding judge must abide by local rules adopted by a majority of the judges in a circuit directing how the administrative powers of the presiding judge are to be implemented, such as those providing procedures for the docketing and handling of cases, and the administrative, budgetary, accounts, records, and personnel workings of the entire circuit court and its divisions.¹⁵

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Footnotes

- 1 U.S.—*In re Kuflik*, 342 F.2d 421 (2d Cir. 1965).
- 2 Iowa—*Matter of Carstensen*, 316 N.W.2d 889 (Iowa 1982).
- 3 N.Y.—*Bankers Trust Co. v. Braten*, 101 Misc. 2d 227, 420 N.Y.S.2d 584 (Sup 1979).
- 4 N.Y.—*Bankers Trust Co. v. Braten*, 101 Misc. 2d 227, 420 N.Y.S.2d 584 (Sup 1979).
- 5 Ala.—*Ex parte State ex rel. James*, 711 So. 2d 952 (Ala. 1998), on reh'g, (Apr. 10, 1998).
S.C.—*Spartanburg County Dept. of Social Services v. Padgett*, 296 S.C. 79, 370 S.E.2d 872 (1988).
W. Va.—*Carter v. Taylor*, 180 W. Va. 570, 378 S.E.2d 291 (1989).
- 6 W. Va.—*Carter v. Taylor*, 180 W. Va. 570, 378 S.E.2d 291 (1989).
- 7 Ill.—*People v. Sutherland*, 155 Ill. 2d 1, 182 Ill. Dec. 577, 610 N.E.2d 1 (1992).
W. Va.—*State ex rel. Core v. Merrifield*, 202 W. Va. 100, 502 S.E.2d 197 (1998).
- 8 Mo.—*Heinen v. Healthline Management, Inc.*, 982 S.W.2d 244 (Mo. 1998).
- 9 W. Va.—*Carter v. Taylor*, 180 W. Va. 570, 378 S.E.2d 291 (1989).
- 10 Associate and coordinate judges, § 186.
- 11 W. Va.—*Carter v. Taylor*, 180 W. Va. 570, 378 S.E.2d 291 (1989).
- 12 Ill.—*People v. Sutherland*, 155 Ill. 2d 1, 182 Ill. Dec. 577, 610 N.E.2d 1 (1992).
W. Va.—*State ex rel. Skinner v. Dostert*, 166 W. Va. 743, 278 S.E.2d 624 (1981).
- 13 W. Va.—*State ex rel. Skinner v. Dostert*, 166 W. Va. 743, 278 S.E.2d 624 (1981).

14 Pa.—Petition of Blake, 527 Pa. 456, 593 A.2d 1267 (1991).

15 Mo.—Gregory v. Corrigan, 685 S.W.2d 840 (Mo. 1985).

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